

## **Nebraska Department of Health and Human Services History (Revised October 2011)**

Before Nebraska became a state, its territorial legislature provided for its residents' public welfare needs by passing a pauper law to care for the medical needs of the indigent. It also established institutional care for blind and deaf children and 'insane persons.'

- 1867:** Nebraska achieved statehood and thus began the creation of state provided provisions.
- 1868:** The Legislature authorized cities of 3,000 or more to establish a Board of Health. No formal state health department existed.
- 1869:** The School for the Deaf was established in Omaha.
- 1869:** The State Penitentiary was established in a temporary building.
- 1870:** The Legislature created the Nebraska Asylum for the Insane in Lincoln.
- 1875:** The Legislature provided for short-term aid for the grasshopper scourge.
- 1875:** The Legislature established the School for the Blind in Nebraska City.
- 1876:** The permanent State Penitentiary opened in Lincoln.
- 1879:** The Legislature established the Nebraska State Reform School for Juvenile Offenders in Kearney.
- 1885:** The Legislature created the Insane Asylum in Norfolk.
- 1887:** The Home for the Friendless, which became the Nebraska Center for Children and Youth, was created as a semipublic home for dependent children and elderly women.
- 1887:** The Nebraska Maternity Home was opened in Milford.
- 1887:** The Legislature created the Institution for Feeble Minded Youths.
- 1887:** The Legislature created the Asylum for the Incurably Insane at Ingleside.
- 1887:** The Legislature created the Nebraska Soldiers' and Sailors' Home in Grand Island.
- 1891:** The Board of Health was created. The board was composed of the governor, the attorney general and the superintendent of public instruction.
- 1892:** The Legislature created the Girls' Industrial School at Geneva.
- 1895:** The Nebraska Soldiers' and Sailors' Home opened in Milford.
- 1899:** The Legislature provided for short-term aid for Spanish-American War soldiers.
  
- 1900:** The Board of Charities and Corrections was established. This was the forerunner of the Department of Public Welfare.
- 1905:** The Nebraska Orthopedic Hospital was established to prevent and correct deformities in children and to aid medical and surgical professions.
- 1912:** A constitutional amendment created the Board of Commissioners of State Institutions.
- 1912:** The Nebraska Hospital for the Tuberculosis was established.
- 1913:** The Board of Commissioners of State Institutions took over responsibilities of the governor and the Board of Public Lands and Buildings regarding state institutions and welfare operations.

- 1915:** The first Mothers' Pension Act was adopted
- 1915:** The Legislature changed the name of the Home for the Friendless to the Home for Dependent Children.
- 1917:** Counties were required to provide relief to the blind.
- 1918:** The Legislature created the State Department of Health and abolished the State Board of Health law of 1891.
- 1919:** The Department of Health and the Board of Charities and Corrections were abolished.
- 1919:** The first state Department of Public Welfare was created to encompass the Bureau of Child Welfare. The department was given the former duties of the Board of Charities and Corrections, the Department of Health, the Bureau of Pardons and Paroles, the Racing Commission and the licensing of boxing.
- 1920:** A constitutional amendment changed the name of the Board of Commissioners of State Institutions to the Board of Control.
- 1920:** The Legislature abolished the Reformatory for Women in York.
- 1920:** The names of the three Insane Asylums were changed to the Lincoln State Hospital, Hastings State Hospital and Norfolk State Hospital.
- 1921:** The Legislature established the Reformatory for Men in Lincoln to take care of delinquent young men 13 years old to the age of maturity.
- 1923:** The Legislature changed the name of the Girls' Industrial School in Kearney to the Girls' Training School.
- 1931:** The state Department of Public Welfare was abolished.
- 1931 to 1935:** The Legislature enacted measures to help Nebraskans cope with the difficulties of the Great Depression.
- 1932:** The Legislature re-created the Department of Health. This department assumed the responsibilities of the former Board of Charities and Corrections.
- 1935:** Congress passed the federal Social Security Act and adopted three aid programs for Social Security Act federal grants-in-aid. These included Aid to Dependent Children (ADC), Old Age Assistance, and Blind Assistance.
- 1935:** The Legislature created a state commission for the control of feebleminded persons.
- 1936:** The state Department of Assistance and Child Welfare was established under the Board of Control. This department supervised commodity distribution, categorical assistance programs administered by the counties, and the Bureau of Child Welfare. The department also administered emergency Depression-era programs, such as the Civilian Conservation Corps and the Works Progress Administration.
- 1937:** The Genoa State Home was established to raise agricultural products for use in other state institutions. It also provided work opportunities for inmates of the state penitentiary and the reformatory for boys.
- 1939 to 1945:** During World War II, some of the programs established in the Department of Assistance and Child Welfare during 1936 were discontinued, and

the department took on special wartime responsibilities. The department helped civilians harmed by enemy actions and worked with Japanese Americans living in Nebraska. Through the Selective Service, the department obtained social and medical information on each registrant to be examined before induction into the armed forces.

- 1940:** The Nebraska Soldiers' and Sailors' Home in Milford closed.
- 1943:** The Legislature passed a law providing for the establishment of local health services under the approval of the Department of Health.
- 1945:** The Institution for Feeble Minded Youths was renamed the Beatrice State Home.
- 1945:** The Legislature changed the name of the Nebraska State Reform School for Juvenile Offenders to the Boys Training School.
- 1946:** The first medical care program for recipients of Old Age and Blind Assistance was passed and amended the next year to provide similar care for ADC recipients and to require counties to pay a greater share of the cost.
- 1946:** The Legislature changed the name of the Boards of Insanity to Boards of Mental Health.
- 1946:** The Legislature passed a Voluntary Admissions Law, allowing persons needing psychiatric treatment to voluntarily enter a state hospital without being committed.
- 1947:** The Legislature created the Nebraska Psychiatric Institute as an alternative to a fourth state hospital.
- 1949:** The Genoa State Home was closed.
  
- 1950:** The Legislature changed the name of the Home for Dependent Children to the Home for Children.
- 1954:** The entire medical care program was eliminated, and medical care responsibilities were given back to the counties.
- 1955:** The Aid to Disabled program was created.
- 1957:** A new supplemental medical program provided hospital and nursing home care for Old Age, Blind and Disabled recipients and for hospital, surgery and dental care of ADC recipients.
  
- 1960:** The Nebraska Governor's Commission on Aging was established. It was charged with providing information about the state's elderly population and preparing for the first White House Conference on Aging in 1961.
- 1960:** The School for the Deaf and the School for the Blind were transferred to the Nebraska Department of Education.
- 1961:** The name of the Board of Control was changed to the Department of Public Institutions. This department was given control of 13 Nebraska institutions. The department began operating on Jan. 1, 1962.
- 1961:** The name of the Services for the Blind was changed to Rehabilitation Services for the Visually Impaired in the Department of Public Institutions.

- 1962:** The Department of Public Welfare became an executive department. Also, administration of the Home for Children was given to the department.
- 1962:** The names of the three state hospitals were changed to Lincoln Regional Center, Hastings Regional Center and Norfolk Regional Center.
- 1963:** A federal medical care program for the elderly was created by the Kerr-Mills Act.
- 1963:** The Legislature created the Nebraska Veterans' Home in Norfolk.
- 1964:** Food coupons were sold and issued to low-income families through the federal Food Stamp Act administered by the U.S. Department of Agriculture.
- 1965:** The Aid to the Aged, Blind and Disabled program was adopted, replacing the three former separate adult programs.
- 1965:** The Legislature created the Nebraska Advisory Committee on Aging.
- 1966:** The Medical Assistance Program (Medicaid) replaced the medical programs at the state and federal levels.
- 1967:** Congress created the Work Incentive Program (WIN) to prepare certain ADC recipients for paid jobs through a comprehensive work experience program, education and training, together with other social services.
- 1967:** The Legislature created the Division of Alcoholism in the Department of Public Institutions. The governor appointed the director of the division.
- 1968:** The first WIN projects were established in Lancaster and Douglas counties.
- 1968:** The first federal Aging Program grants were made for senior meal programs in Macy, Walthill and Winnebago.
- 1969:** The Legislature created the Office of Mental Retardation as part of the Department of Public Institutions.
- 1969:** The Legislature changed the name of the Nebraska Soldiers' and Sailors' Home to the Nebraska Veterans' Home.
  
- 1971:** The Legislature directed the Department of Public Institutions to phase out the Nebraska Orthopedic Hospital.
- 1971:** The Nebraska Advisory Committee on Aging became an independent agency, the Nebraska Commission on Aging.
- 1972:** The Legislature closed the Nebraska Hospital for the Tuberculosis, and the Department of Health assumed responsibility for providing tuberculosis care. The hospital's real estate and buildings were transferred to the Board of Trustees of the Nebraska State Colleges.
- 1973:** The Legislature created the separate Department of Correctional Services from the Division of Corrections, which had included the Nebraska Penal and Correctional Complex, State Reformatory for Women, Youth Development Center-Geneva, Youth Development Center-Kearney, and Office of Parole Administration.
- 1973:** The director of the Department of Public Institutions established the Community Mental Health Division.
- 1974:** The federal Social Security Administration, through the Supplemental Security Income (SSI) Program, took over public assistance to elderly, blind and disabled adults. This program replaced, in part, the Aid to the Aged, Blind and Disabled

- Program. The state supplement program for the aged, blind and disabled was continued to maintain the level of support required to access federal Medicaid funds for this population.
- 1974:** The Legislature created the Western Nebraska Veterans' Home in Scottsbluff.
- 1975:** Title XX of the Social Security Act replaced the existing social services program. Title XX greatly changed the way states spent and administered federal funds. Instead of the federal government prescribing specific services, states were allowed to allocate federal funds to best meet their needs.
- 1975:** The Nebraska Psychiatric Institute was transferred from dual operation by the University of Nebraska Medical Center and the Department of Public Institutions to sole operation by UNMC.
- 1976:** The Child Support Enforcement Program became statewide to locate absent parents, determine the paternity of children and collect child support payments.
- 1976:** The Legislature enacted the State Aid to the Disabled program to help people who are disabled for at least six months but less than one year.
- 1978:** The Legislature set up new programs within the Department of Public Welfare to deal with domestic abuse, particularly spouse abuse, and provide help to children who have been named as status offenders in court.
- 1979:** Federal legislation eliminated the purchase of food stamps beginning in this year.
- 1980:** The Legislature created the Thomas Fitzgerald Veterans' Home in Omaha.
- 1981:** The Horacek lawsuit was settled with adoption by the court for a five-year plan of implementation to place persons with developmental disabilities in the least restrictive placement possible.
- 1982:** The Legislature passed the Nebraska Community Aging Services Act, changing the Nebraska Commission on Aging to the Department on Aging.
- 1983:** Social Service programs' direct administration was transferred from county boards to the state in order to provide consistent program administration and policy statewide.
- 1983:** The Legislature required counties to pay for medical care for indigent people.
- 1983:** The Department of Public Welfare's title was changed to more accurately reflect its purpose of giving assistance to Nebraskans who are unable to support themselves and helping Nebraskans pursue opportunities to regain self-sufficiency. The department was renamed the Department of Social Services.
- 1985:** The Legislature transferred the responsibility for funding education for state wards from the State Department of Education to the Department of Social Services.
- 1985:** A law changed the name of Services for Crippled Children to Medically Handicapped Children's Services.
- 1985:** The Indian Child Welfare Act was adopted in Nebraska statutes.
- 1985:** The Interstate Compact on Adoption Assistance was adopted.
- 1986:** The Family Policy Act required that, whenever possible, troubled children and families must receive service in their homes and communities by the least intrusive and least restrictive means possible.

**1992:** Legislation was passed that provided a clearer identification and delineation of responsibilities for law enforcement and the Department of Social Services in investigating child abuse and neglect. This legislation also required the establishment of child abuse investigation teams and child abuse treatment teams in each county or group of contiguous counties.

Nebraska's welfare reform initiative began in June of 1993, with the Governor's Welfare Reform Task Force. In April 1994, the Nebraska Legislature passed LB 1224, the Welfare Reform Act

**1992:** The Nebraska Center for Children and Youth, a state-operated residential treatment center, transferred from the Department of Social Services to the Department of Public Institutions.

**1993:** The Legislature created the nursing facility pre-admission screening program.

**1994:** The Legislature created the Office of Juvenile Services within the Department of Correctional Services.

**1994:** The Legislature passed the Welfare Reform Act (LB 1224), which directed the Department of Social Services to apply for federal waivers and included a Child Support Study Commission. Waivers were approved in February 1995, and DSS gained legislative approval to implement the waivers.

**1995:** The Legislature passed LB 455, amending the original Welfare Reform Act and directing the Department of Social Services to implement the policies. Waivers were approved in February and DSS gained legislative approval to implement the waivers. Nebraska's pilot project, "Employment First" began in November 1995 in five counties (Adams, Clay, Lancaster, Nuckolls and Webster).

**1996:** The Legislature passed the Nebraska Partnership for Health and Human Services Act. This act combined the Departments of Health, Social Services, Aging, and Public Institutions and the Office of Juvenile Services in the Department of Correctional Services and reorganized them into the Nebraska Health and Human Services System, made up of three separate agencies led by a Policy Cabinet. The agencies were: the Department of Health and Human Services Finance and Support, the Department of Health and Human Services Regulation and Licensure, and the Department of Health and Human Services.

**1997:** The Nebraska Health and Human Services System was implemented on January 1, 1997, consisting of three separate state agencies: Department of Health and Human Services Finance & Support; Department of Health and Human Services Regulation and Licensure; and Department of Health and Human Services.

**1997:** The Legislature created a Division of Veterans' Homes within the Department of Health and Human Services.

**1997:** The Department implemented Employment First Welfare Reform statewide on October 1, 1997. Changes were made in the treatment of earned income, resources and other eligibility requirements to make the program easier to administer and more effective for families receiving ADC cash assistance.

**1997:** The Legislature repealed the requirement for Certificate of Need (CON) review (LB 798). Ambulatory surgical centers continued reviews in counties with

- 30,000-60,000 population until Jan. 1999, and until June 1999 in cities with less than 30,000 population. The bill imposed a two-year moratorium on establishment of new hospitals and certain increases/relocations of acute care beds, and a moratorium with no phase-out date on additional long-term care and rehabilitation beds.
- 1997:** The Legislature eliminated provisions relating to Aid to Dependent Children and Welfare Reform (LB 864), and provided state funding for legal immigrants who lost SSI benefits as a result of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996.
- 1997:** The Legislature adopted the Managed Care Patient Protection Act. This act established requirements between health carriers offering managed care plans and participating providers as to the standards under which the provider delivers services to covered people. The bill also prohibits carriers from making incentives available to providers for offering less than medically necessary services
- 1997:** The Legislature adopted the Emergency Medical Services Act. This act collapsed 28 categories of EMS providers into four; requires each emergency medical service to have a medical director and approved/accredited training programs.
- 1998:** The Legislature created the Nebraska Health Care Trust Fund to provide funding for nursing home conversions to assisted living facilities, children's health insurance, and public health projects. This Fund processed intergovernmental transfer of Medicaid payments from government-owned nursing homes, and revenue awarded to the state as a result of tobacco-related litigation.
- 1998:** The Legislature passed the Adoption and Safe Families Act, making a child's health, safety and welfare paramount in decisions about that child's removal from, or return to, his or her home.
- 1998:** The Legislature established the Children's Health Insurance Program, which expanded health insurance coverage for children as an extension of Medicaid.
- 2000:** The Governor established the Office of Public Health within the HHS System to provide a focal point for all public health activities in the state.
- 2000:** Rehabilitation Services for the Visually Impaired became an independent agency, the Commission for the Blind and Visually Impaired, effective July 1, 2000.
- 2001:** The Legislature transferred principal and investment income from the tobacco settlement fund and Medicaid intergovernmental transfer fund to the Nebraska Health Care Cash Fund (LB 692) to fund various health care activities.
- 2001:** The Legislature transferred collection and disbursement of all court-ordered child support payments from the counties to the state's new Nebraska Child Support Payment Center in December 2001.
- 2001:** The Legislature changed placement and treatment services for juveniles, clarifying that juvenile courts order a particular level of treatment for juveniles at disposition, but not a specific placement, and that the authority to make placement decisions lies with the Department's Office of Juvenile Services.

- 2002:** Change in state law allowed the HHS System to disclose a summary of findings related to child fatality or near fatality through abuse or neglect, if a person is criminally charged with causing the child fatality or near fatality and is convicted or acquitted.
- 2002:** The Department's new Norfolk Veterans' Home opened.
- 2003:** The Legislature created a felony criminal offense regarding sexual abuse of a protected individual by any person employed by the HHS System.
- 2003:** The Legislature changed coverage and eligibility under the medical assistance program (Medicaid).
- 2004:** The Legislature passed the Nebraska Behavioral Health Systems Act (LB 1083) to reform Nebraska's adult behavioral health system by developing community-based services and reducing use of the three state-operated Regional Centers. The Act created the Behavioral Health Oversight Commission of the Legislature; the State Behavioral Health Council; changed provisions of the Affordable Housing Trust Fund and the Mental Health Commitment Act; provided for licensure of certified alcohol and drug abuse counselors.
- 2005:** The Legislature adopted the Developmental Disabilities Court-Ordered Custody Act to provide a civil process for court ordered custody and treatment for persons with developmental disabilities when they pose a threat to others.
- 2006:** The Legislature passed LB 1199, which changed provisions of the Sex offender Registration Act, adopted the Sexual Predator Residency Restriction Act, established a working group to study sex offender treatment and management services, provided penalties regarding sexual assault of a child, civil commitment for sex offenders, and community supervision of sex offenders.
- 2006:** The Medical Assistance Act (LB 1248) was adopted to implement the Medicaid Reform Plan, clarify public policy and provide legislative oversight related to Nebraska's Medicaid program.
- 2007:** The Legislature reorganized the Nebraska Health and Human Services System (LB 296). It eliminated the three separate agencies and created a single state agency known as the Department of Health and Human Services with six divisions effective July 1, 2007. The Governor appoints a CEO, a director for each division, and a chief medical officer.
- 2007:** The Uniform Credentialing Act was adopted to re-codify the Uniform Licensing Law. The bill included all health care professionals and occupations credentialed by the Department.
- 2007:** The Legislature created the Children's Behavioral Health Task Force (LB 542). The Task Force and the Department were charged with developing plans to improve the children's behavioral health system, including juveniles accessing public behavioral health services.
- 2008:** The LB 542 plan for behavioral health services for children and adolescents was submitted to the Governor and Health and Human Services Committee by the Divisions of Children and Family Services and Behavioral Health on Jan. 4, 2008.
- 2008:** The Legislature passed a Safe Haven law (LB 157) that made Nebraska the only state in the country without an age limit for abandonment. The Legislature held

- a Special Session in Nov. 2008 and passed LB 1, which limited the age to children 30 days or younger.
- 2008:** The Legislature created the Developmental Disabilities Special Investigative Committee (LR 283) to provide oversight to the Beatrice State Developmental Center.
- 2009:** In March 2009, the Centers for Medicare and Medicaid Services stopped \$28.6 million in federal funding for the Beatrice State Developmental Center. BSDC lost certification to operate as an Intermediate Care Facility (ICF).
- 2009:** The Legislature passed the Behavioral Health Workforce Act (LB 603). The Department then established: A statewide Nebraska Family Helpline for families facing a behavioral health crisis; Family Navigator Services to identify existing community services and provide family peer support; “Right Turn” post adoption/guardianship voluntary support for families who adopt or are guardians for a child or teen through the state’s foster care system; and established the Behavioral Health Workforce Education Center at the University of Nebraska Medical Center to recruit and train psychiatry residents and develop six behavioral health training sites across the state. The Act also changed Medicaid eligibility so children under 19 were eligible if their family income was at or less than 200% of the federal poverty guideline (formerly 185% of the federal poverty guideline.)
- 2011:** The Beatrice State Developmental Center transitioned from being one Intermediate Care Facility to being five separate ICFs. All five ICFs became certified and federal funding was reinstated.
- 2011:** The Legislature passed LB 465 and repealed the state-option Medicaid and food stamp benefit expansion programs for certain aliens (created in LB 864, 1997.)